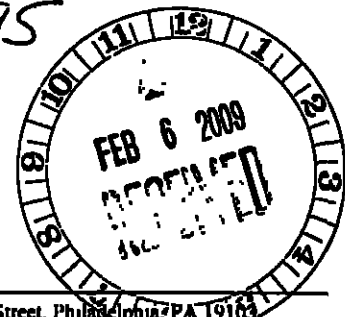


CONRAIL



224495



JOHN K. ENRIGHT, Associate General Counsel

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john.enright@conrail.com

February 5, 2009

Via UPS Overnight Delivery

Anne K. Quinlan
Acting Secretary
Surface Transportation Board
395 E. Street, SW
Washington, DC 20024

ENTERED
Office of Proceedings
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Public Record

Re: Docket No. AB 167 (Sub No 1190X)
Consolidated Rail Corporation
Lehigh Valley Main Line (the "Line")
Abandonment Exemption
In Hudson County, NJ

Dear Secretary Quinlan:

On January 7, 2009, the Surface Transportation Board (the "Board") issued a Decision granting the request of CNJ Rail Corporation (CNJ) to toll the deadline for filing an Offer of Financial Assistance (OFA) until 10 days after Conrail, with notice to the Board, provided CNJ with the information required under 49 CFR 1152.27(a). By letter dated January 22, 2009, (sent electronically and by overnight mail with notice to the Board), Conrail provided CNJ with its Minimum Purchase Price, which was the last remaining piece of information required under the rules. In addition, representatives of Conrail, including the undersigned, met with CNJ's Vice President, Eric Strohmeyer on Wednesday, January 28, 2009 on site to answer any questions he might have regarding the information previously provided.

Conrail has not received an OFA and the deadline for submitting an OFA (February 5, 2009) has now passed. Therefore, Conrail believes that the NOE should be

Anne K. Quinlan
February 5, 2009
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effective as of February 12, 2009 and respectfully requests that the Board issue a decision approving the NOE effective as of that date. Please contact the undersigned if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "John K. Enright", written over the word "Sincerely,".

John K. Enright

cc: Eric Strohmeier
Bob Ryan, Director of Real Estate
Jonathan Broder, Esq. General Counsel and Corporate Secretary